

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

APPVION INC. RETIREMENT SAVINGS AND
EMPLOYEE STOCK OWNERSHIP PLAN

Plaintiff(s),

v.

TELEPHONE SCHEDULING CONFERENCE

Case No. 18-C-1861

DOUGLAS BUTH, et al.,

Defendant(s).

HONORABLE WILLIAM C. GRIESBACH presiding
Proceeding Held: August 5, 2019
Deputy Clerk: Cheryl

Time Called: 11:02 a.m.
Time Concluded: 11:19 a.m.
Tape: 080519

Appearances:

Plaintiff(s): **Frederick Perillo, Leo Beus, Richard Williams and Sara Geenen**

Defendant(s): **Richard Winter and Chelsea McCarthy** on behalf of Willamette Management Associates, Inc.

James Fleckner, Gabrielle Gould and Thomas Wickham Schmidt on behalf of State Street Bank and Trust Company, N.A., Kelly Driscoll, and Sydney and Stephen Mrzeotti
Jeffrey Russell and Barbara Smith on behalf of Smith Reliance Trust Company Trustee Employees Martin, Kaplan, and Williams

Lars C. Golumic and Meredith Kinelblatt on behalf of Stout Risius Ross, LLC; Stout Risius Ross, Inc.; Scott Levine; Debora Levine; Aziz El-Tahch; Ayelish McGarvey; Robert Socol; and Lynn Socol

Michael Richman, David Jimenez-Ekman, Caroline L. Meneau, Craig Martin and Michael T. Graham on behalf of Former Officer and Director defendants: Andrea Willetts, Carol J. Ferree, Lisa L. Carter, Mark Tyczkowski, Mary E. Murphy, Terry Murphy, Debra L. Fantini, Rick Fantini, Kent Willetts, Anne Karch, Paul J. Karch, Douglas P. Buth, Gayle Buth, Mark Suwyn, Patricia Suwyn, Stephen Carter, Tom Ferree, Angela Tyczkowski, Kerry Arent, Timothy Arent, Susan Scherbel, Thomas Scherbel, Andrew Reardon, Michele Reardon, Mark Richards, Jeanne Richards, Angela Gilligan, Kevin Gilligan, Kathi Seifert, Dale Parker, Debrah Parker, Ronald Pace, and Teresa Pace
Michael Scheier on behalf of Argent Trust Company
Chris Nemeth on behalf of Houliahn Lokey Financial

The Court inquires as to how much time the parties will need for argument and how the argument can be scheduled and arranged without repetition.

Mr. Beus suggests defendants confer and have one party address commons arguments. The defendants would also confer on differences and allow time for each party to speak only to those differences. Time could be divided equally.

Court inquires if defendants are all acting individually.

Mr. Graham speaks on behalf of all defendants. He proposes all 8 motions to dismiss be heard on their own and recommends each side be given 20 minutes per motion or defendant group. He suggests arguments be split up

by role of defendant, i.e. trustees, officers and directors, financial advisors. He suggests 4-5 hours for argument. The Court suggests the defendants prepare a schedule for the arguments and provide it to the plaintiff.

The Court provides possible hearing dates.

August 22, 23, September 3, 6, 9, 10, 13, 18, 26, 27, or the morning of October 3, 4.

The parties will confer as to a date that works for all of the parties and notify the clerk.

The Court will determine the location. The parties anticipate approximately 24-26 attorneys. It is possible that the hearing could be moved to Milwaukee or to the Brown County Courthouse. The Court may also consider the Green Bay Packers schedule.